

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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|---|---|-----------------|
| RUSSELL R. JAGDEO, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:17-CV-469 |
| |) | Judge Phillips |
| NANCY A. BERRYHILL, |) | |
| Acting Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

ORDER

This Social Security case is before the Court to consider the Report and Recommendation of United States Magistrate Judge Debra C. Poplin dated February 19, 2019 [Doc. 24]. Judge Poplin recommends that the plaintiff's motion for summary judgment [Doc. 17] be granted in part and the case be remanded to the Commissioner for further proceedings. Judge Poplin further recommends that the defendant's motion for summary judgment [Doc. 22] be denied. No objections to the Report and Recommendation have been filed and the time for doing so has passed. 28 U.S.C. § 636(b)(1); E.D. Tenn. L.R. 7.2.

The Court has carefully reviewed this matter, including the administrative record and the underlying pleadings [Docs. 17, 18, 22, 23]. The Court is in agreement with Magistrate Judge Poplin's recommendation which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 24]. The plaintiff's motion for summary judgment [Doc. 17] is

GRANTED in part to the extent that it seeks remand to the Commissioner. The Commissioner's motion for summary judgment [Doc. 22] is **DENIED**. The Commissioner's decision is **REVERSED and REMANDED** pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with Magistrate Judge Poplin's Report and Recommendation [Doc. 24].

IT IS SO ORDERED.

s/ Thomas W. Phillips
SENIOR UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ John L. Medearis
CLERK OF COURT